

REMARKS

The present application includes claims 1-20. Claims 1-20 have been rejected. By this Response, claims 1, 5, 10, 17, and 20 have been amended, and claim 11 has been cancelled.

Drawings

The Examiner objected to the drawings under 35 CFR 1.83(a) as failing to show the plurality of remote systems as recited in claims 2, 14 and 19 of the present application. However, the Applicant respectfully directs the Examiner's attention to the existing drawings for the present application. Figure 1 illustrates an embodiment, and many examples of remote systems are discussed with respect to Figure 1. The remote system 130 of Figure 1 may in fact include one or more systems, as recited in claims 2, 14 and 19. Additionally, Figure 3 of the present application depicts several remote systems, such as a local computer terminal 310, a wireless input tray 340, a wireless interactive visual display system 350, a remote data storage unit 380, etc. Thus, multiple remote systems are shown in the drawings and described in the specification in support of the claims.

Thus, for at least these reasons, the Applicant respectfully requests that the Examiner's objection to the drawings be withdrawn.

Specification

The Examiner objected to the non-capitalized use of the mark BLUETOOTH® in the specification. The Applicant notes that it paid attribution to the mark when introduced in paragraphs 28 and 30, for example. However, as shown above, the Applicant has provided

amended paragraphs to capitalize BLUETOOTH and provide its generic terminology. Therefore, the Applicant respectfully requests that the Examiner's objection be withdrawn.

Abstract

Similarly, the Examiner objected to certain implied phrases in the Abstract. The Examiner points out that the Abstract implicitly shows only certain embodiments, and it is not necessary to repeat such language in the Abstract. Under the principle that it is clear the Abstract only reflect certain embodiments of the present invention, the Applicant has amended the abstract and requests that the Examiner's objection be withdrawn.

Claim Rejections

Rejections under 35 USC 112

Claims 5 and 20 have been rejected under 35 USC 112, second paragraph, for use of a trademark or trade name in the claim. By this response, claims 5 and 20 have been amended to remove use of the word Bluetooth from the claims. Thus, the Applicant respectfully submits that the Examiner's rejection has been overcome.

Rejections under 35 U.S.C. §102

Claim 1, 3, 4, 5, and 7-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Pulkkinen et al. (U. S. Patent No. 6,954,148).

However, Pulkkinen relates to collecting location information and other activity data by tracking badges. See, e.g., Abstract. A badge transmits signals in response to trigger signals from a trigger source. See, e.g., Abstract. A monitoring device collects data from the badge.

Claim 1 of the present application has been amended to recite a wireless communication system for facilitating clinical workflow including a remote system in a healthcare facility, said remote system used for at least one of executing an operation, storing data, and retrieving data; a wireless communication device for voice control of said remote system in said healthcare facility, said wireless communication device adapted for centralized control of said remote system to facilitate at least one of executing an operation, storing data, and retrieving data at said remote system based on a voice command issued via said wireless communication device; and an interface for relaying communication between said remote system and said wireless communication device, said interface displaying data from said remote system. The Applicant respectfully submits that the subject matter recited in amended claim 1 and its dependent claims is not found in Pulkkinen.

Claim 10 has been amended to recite a method for facilitating workflow in a clinical environment including establishing a communication link between a wireless, voice-enabled communication device and a remote system at a first location using an interface; detecting a voice command spoken at said wireless, voice-enabled communication device; transmitting said voice command to said interface; relaying said voice command from said interface to said remote system; and utilizing voice commands from said wireless, voice-enabled communication device to at least one of transmit data to, retrieve data from, and trigger functions at said remote system via said communication link. The Applicant respectfully submits that the subject matter recited in amended claim 10 and its dependent claims is not found in Pulkkinen.

Claim 17 has been amended to recite method for consolidating workflow of a plurality of devices into a wireless, voice-enabled workflow including establishing a connection between a wireless, voice-enabled device and a data system using an interface; detecting a voice command

spoken at the wireless communication device; transmitting the voice command to the interface; relaying the voice command from the interface to the data system; and accessing the data system using the voice command via the connection between the wireless communication device and the data system facilitated by the interface. The Applicant respectfully submits that the subject matter recited in amended claim 17 and its dependent claims is not found in Pulkkinen.

Thus, for at least these reasons, the Applicant submits that claims 1, 3, 4, 5, and 7-20 should be allowable over the cited art.

Rejections under 35 U.S.C. §103

Claims 2 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pulkkinen in view of Boesen (U.S. Patent No. 6,718,043).

Boesen relates to a voice sound transmitting and receiving unit having an earpiece that is adapted for insertion into the external auditory canal of a user. See, e.g., Abstract. Voice sound may be transmitted through the device using a wireless linkage. See, e.g., Abstract. Such a device may well be used in the systems and methods of the presently claimed invention, but the Boesen reference fails to discuss, envision, or motivate the total clinical systems and methods as claimed herein. Additionally, a combination of the wireless voice sound transmitting unit of Boesen with the badge detection system of Pulkkinen would not result in the systems and methods claimed herein.

As amended, claim 1, from which dependent claims 2 and 6 depend, recites a wireless communication system for facilitating clinical workflow including a remote system in a healthcare facility, said remote system used for at least one of executing an operation, storing

data, and retrieving data; a wireless communication device for voice control of said remote system in said healthcare facility, said wireless communication device adapted for centralized control of said remote system to facilitate at least one of executing an operation, storing data, and retrieving data at said remote system based on a voice command issued via said wireless communication device; and an interface for relaying communication between said remote system and said wireless communication device, said interface displaying data from said remote system. Pulkkinen fails to teach or suggest all of the limitations recited in amended claim 1. A combination of the voice sound transmitting and receiving unit of Boesen with the badge detection system of Pulkkinen fails to disclose the wireless communication system facilitating control of and execution of commands on a remote system via voice commands issued from a wireless communication device and transmitted to the remote system via an interface, as recited in claim 1. By extension, a combination of Pulkkinen and Boesen cannot disclose the limitations recited in dependent claims 2 and 6. Additionally, with respect to claim 2, it recites that the wireless communication device is capable of communicating with a plurality of remote systems (as opposed to a single remote system). This flexibility in the device indeed imparts novelty to this claim.

Thus, for at least these reasons, the Applicant submits that claims 2 and 6 should be allowable over the cited art.

Double Patenting

Claims 1-20 of the present application have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims of copending Application No. 10/991,570. Claims 1-20 have also been rejected under 37 CFR 1.8(b) as

containing conflicting claims with copending Application No. 10/991,570. Furthermore, claims 1-20 have been provisionally rejected under 35 U.S.C. 101 as claiming the same invention as claims 1-23 of copending Application No. 10/991,570. Application No. 10/991,570 claims priority to the present application as a continuation-in-part. To obviate any nonstatutory double patenting rejection, the Applicant hereby files a terminal disclaimer with respect to these two applications. Furthermore, the Applicant respectfully disputes that the claims of the two applications claims the same invention. For example, the claims of the present application are directed to systems and methods for wireless communication between a wireless device and a remote system to control the remote system via a voice command transmitted from the wireless device to the remote system. The claims of copending Application No. 10/991,570 are directed to remote image display using a portable device which interacts with a display device to request image data transfer from a data source to the display device without the transfer of the image data between the portable device and the data source. Thus, while some overlap may exist through the family relationship of these applications, the two applications recite non-conflicting sets of claims. That is, while some overlap may exist, each application includes claims with separately patentable limitations. Therefore, the Applicant respectfully requests that the Examiner's double patenting rejections be withdrawn.

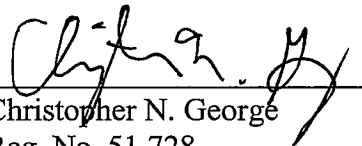
CONCLUSION

The Applicants submit that the present application is in condition for allowance. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited and encouraged to contact the Applicants at the number below.

The Commissioner is authorized to charge any additional fees or credit overpayment to the Deposit Account of GEMS-IT, Account No. 502401.

Respectfully submitted,

Date: July 12, 2007


Christopher N. George
Reg. No. 51,728

McAndrews, Held & Malloy, Ltd.
500 W. Madison Street
34th Floor
Chicago, IL 60661
Phone (312) 775-8000
Fax (312) 775-8100